IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

WP(C).No. 18934 of 2004(D)

PETITIONER:

K.RAZIYA BEEVI, NURSING ASSISTANT,
DISTRICT AYURVEDA HOSPITAL, ERNAKULAM,
RESIDING AT KIZHAKKEMURIYIL HOUSE,
S.R.M. ROAD, BAVA ANTONY LANE,
ERNAKULAM.

BY ADV. SRI.S.M.PREM,
SMT.K.P.SANTHI.

RESPONDENTS:
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1. **THE KERALA STATE CO-OPERATIVE BANK LTD.,**
   ERNAKULAM BRANCH, ANANDHI, PULLEPPADY, COCHIN -35.

2. **THE CHIEF MEDICAL OFFICER,**
   ERNAKULAM DISTRICT AYURVEDA HOSPITAL,
   KACHERIPPADY, ERNAKULAM.

3. **DISTRICT MEDICAL OFFICER (ISM),**
   ERNAKULAM DISTRICT AYURVEDA HOSPITAL,
   KACHERIPPADI, ERNAKULAM.

4. **C.V.SHAKILA, W/O.LATE SRI.MURALEEDHARAN,**
   LEELASADANAM, KOATTUVELY, MAYITHARA P.O.
   CHERTHALA, ALAPPUZHA DISTRICT.

BY ADV. SRI.V.G.ARUN,
SRI.V.N.SWAMINATHAN,
SRI.NAGARAJ NARAYANAN,SC,K.S.CO-OP BANK.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.18934/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE NOTICE DTD. 20/01/2003 OF THE R.1.

EXT.P.2: COPY OF THE REPRESENTATION DTD. NIL. SUBMITTED TO THE R.3.

EXT.P.3: COPY OF THE LETTER DTD. 18/02/2003 SENT BY THE R.1. TO THE R.3.

EXT.P.4: COPY OF THE NOTICE DTD. 15/06/2004 OF THE R.1.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P. (C). NO. 18934 OF 2004

Dated this the 22nd day of June, 2007.

J U D G M E N T

Petitioner approached this Court with certain grievances with regard to the recovery steps initiated at the instance of the first respondent-Bank. This Court stayed the recovery by order dated 09.07.2004.

2. Learned counsel for the first respondent submits that the recovery is made on the basis of the agreement executed by the parties. But, it is seen from the agreement made available for perusal executed by Sri. Muraleedharan, late husband of the fourth respondent that, he had agreed to repay the amounts, if necessary, from adjusting against the pensionary benefits due to him.

Therefore, this writ petition is disposed of directing the third respondent to take appropriate action in the light of the agreement executed by Sri. Muraleedharan with first respondent-

Bank, with notice to the petitioner and respondents 1 and 4, within four months. Interim orders passed by this Court on 09.07.2004 and 26.09.2006 will continue till such time.

KURIAN JOSEPH, JUDGE.

smp